

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JOHN PAUL THOMAS,**

**Plaintiff,**

**v.**

**No. CV 08-0427 MV/LAM**

**CHARLES GUFFEY,  
KEVIN ANDERSON,**

**Defendants.**

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S  
MOTION FOR SERVICE ON DEFENDANT ANDERSON (Doc. 65)**

**THIS MATTER** is before the Court on *Plaintiff's Motion for Order Directing Personal Service of Process on Defendant Kevin Anderson (Doc. 65)*, filed June 24, 2009. In his motion, Plaintiff provides two addresses for Defendant Anderson and asks for personal service of process on Defendant Anderson. The Court has determined that it will grant Plaintiff's request in part, and will direct the Clerk to issue notice and waiver of service forms, certified mail return receipt requested, with a copy of Plaintiff's *Proposed Amended Prisoner's Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 (Doc. 22)*, to Defendant Anderson at the two addresses provided in *Plaintiff's Motion for Order Directing Personal Service of Process on Defendant Kevin Anderson (Doc. 65)*. Under Fed.R.Civ.P. 4(d)(2), the Court must impose expenses of service on a Defendant who, without good cause, does not comply with a request to waive service.

**IT IS THEREFORE ORDERED** that the Clerk is directed to issue notice and waiver of service forms, *certified mail return receipt requested*, with a copy of Plaintiff's *Proposed Amended Prisoner's Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 (Doc. 22)*, for Defendant

Anderson at the two addresses provided in *Plaintiff's Motion for Order Directing Personal Service of Process on Defendant Kevin Anderson* (Doc. 65).

**IT IS SO ORDERED.**

  
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**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**